CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
MARCH 6, 2007, 7:00 P.M.

Call to Order
Roll Call

Pledge of Allegiance Led by Mayor Pro Tem Felipe Martinez
Invocation

PRESENTATION
City Employee of the Month - Linda Wammack
Recognition of Smith’s Alley
County General Plan Update Presentation Slides

ORAL COMMUNICATIONS
This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time.

CONSENT CALENDAR
All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar.

1. Approval of City Council Minutes of October 20, 2006; December 1, 2006; and December 5, 2006.

2. Claim - Phelps
Re: Considering rejection of claim in the amount of $364.50 for property damage allegedly sustained from January 2 to January 27, 2007 due to sewer line backup at 579 North Villa Avenue.

3. Claim - Long
Re: Considering rejection of claim in the amount of $700 for window damage allegedly sustained on October 20, 2006 when ATF and Porterville Police Department served warrants on individuals leasing claimant’s property at 632 North Main Street.

4. Claim - Snyder
Re: Considering rejection of claim in the amount of $119.76 for tire replacement costs due to damages allegedly sustained on January 23, 2007 when claimant drove over a construction sign lying on Newcomb Avenue, near the Skate Park Project’s construction site.

5. Budget Adjustments for the 2006-2007 Fiscal Year
Re: Considering approval of six budget adjustments to account for revenues and expenditures, including English Language Literacy Grant; Airport Hazardous Soil Removal Project; West Street Industrial Park Development; and Mayor’s Trip to Washington, D.C.
6. Authorization to Advertise for Bids – Well No. 29 Project (Pumping Plant)
   Re: Approving Plans and Project Manual for well project, located on the north side of Henderson Avenue between the Porter Slough and Westwood Street, with an estimated probable cost of $679,300.

7. Reject All Bids for the Retaining Wall at Church of Jesus Christ of Latter Day Saints (LDS) – 837 E. Morton
   Re: Considering rejection of bids pursuant to City policy, or in the alternative, awarding contract to David L. Prado, Masonry Contractor, of Porterville, in the amount of $8,000, with the cost difference being paid out of Engineering “carry-over” funds.

8. Acceptance of the Effluent Outfall Delivery System
   Re: Accepting project consisting of the construction of six percolation ponds, outfall delivery pipelines and other appurtenances as complete, authorizing the filing of the Notice of Completion, and authorizing final payment to Nicholas Construction, Inc.

9. Acceptance of Final Subdivision Map - Sierra Estates
   Re: Accepting Final Map for Subdivision generally located east of Leggett Street and north of East Kanai Avenue.

10. Workforce Housing Reward Grant Program
    Re: Authorizing the submittal of a grant application for an estimated $255,000 in funds to assist in the Downtown Revitalization Project on the northeast corner of Main Street and Olive Ave.

    Re: Approving event to take place from 7:00 a.m. to 9:00 p.m. on August 25, 2007 at Murry Park.

12. Assignment of Airport Lease - Lot 38
    Re: Considering approval of an assignment of Lease between City and Barbara Dillard to Mr. and Mrs. Cundiff, with a modification to the term and addition of option to renew.

   A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible

PUBLIC HEARINGS

13. Urgency Ordinance Extending Interim Urgency Ordinance of the City of Porterville Prohibiting the Use of Land for the Purpose of Operating a Dispensary of Marijuana for Medical Purposes
    Re: Considering draft ordinance to extend the temporary moratorium on dispensaries for ten months and fifteen days, or until permanent regulations go into effect.

14. Regulations Regulating and/or Prohibiting the Use of Land for the Purpose of Operating a Dispensary of Marijuana for Medical Purposes
    Re: Considering direction to staff for preparation of ordinance to either regulate medical marijuana dispensaries or prohibit their use of land for operations in Porterville.
15. Reimbursement Agreement for Concrete Improvements Constructed by the City – Indiana Street Project, Putnam Avenue to Olive Avenue
Re: Approving resolution implementing development charges for construction of curbs, gutters, sidewalks and drive approaches; and authorizing staff to record notice of Reimbursement Fee with the County Recorder.

16. Subdivision Ordinance Amendment – Municipal Code Amendment to Article 21
Re: Considering approval of draft ordinance amending Article 21 of the Porterville Municipal Code pertaining to Subdivisions.

17. Ennis Estates Tentative Subdivision Map (Ennis Homes)
Re: Considering a request to continue the public hearing to the Meeting of March 20, 2007.

SECOND READING
18. Ordinance 1714, Zone Change 3-2007
Re: Giving Second Reading to Ordinance 1714, approving a change of zoning from M-1 (Light Manufacturing) to C-2 “D” (General Commercial with Design Review Overlay), waiving further reading and adopting said Ordinance.

19. Ordinance 1715, Zone Change 1-2007
Re: Giving Second Reading to Ordinance 1715, approving a change of zoning from R-1 (One-Family Residential) to C-1 (D) (Neighborhood Commercial - Design Review Overlay) for two parcels located at 1907 Morton Avenue, waiving further reading, and adopting said Ordinance.

20. Ordinance 1716, Zone Change 2-2007
Re: Giving Second Reading to Ordinance 1716, approving a change of zoning from C-1(D) (Neighborhood Commercial - Design Review Overlay) to R-1 (One-Family Residential) for two lots located on the southwest corner of Morton Avenue and Salisbury Street, waiving further reading, and adopting said Ordinance.

SCHEDULED MATTERS
21. MOU with Kings/Tulare Area Agency on Aging, Authorization to Expend Funds in Support of Senior Citizen Activities, and Budget Adjustment for 06/07 Fiscal Year
Re: Consideration of draft MOU pertaining to expansion and relocation of Senior Nutrition Program at an estimated annual cost of $14,000.

22. License Agreement with Comision Honorific Mexicana, Inc. for the Community Center Located on East Putnam
Re: Considering approval of License Agreement for facility at 466 East Putnam.

23. Options for Use of CDBG Entitlement Funds Not Utilized for Pool Water Slide Project
Re: Considering options for improvements at Murry Park utilizing unused CDBG funds.

24. Card Tables – Gambling Wagering Limits
Re: Considering amendment to current regulations to meet statutory requirements by either establishing wagering limits or clearly specifying that the City has opted not to set limits.
ORAL COMMUNICATIONS

OTHER MATTERS

ADJOURNMENT - to the meeting of March 20, 2007

It shall be the policy of the City Council to complete meetings, including closed sessions, by 11:00 p.m. unless, upon consensus, Council elects to continue past the adjournment hour.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Chief Deputy City Clerk at (559) 782-7442. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.